

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

EARL C. HANDFIELD, II,
Petitioner,

v.

MARK GARMAN, et al.,
Respondents.

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CIVIL ACTION NO. 17-CV-1634

ORDER

AND NOW, this 20th day of February, 2020, in consideration of Petitioner Earl C. Handfield's Motion for Habeas Relief to Prevent a Grave Miscarriage of Justice under Rule 60(d)(1) (ECF No. 33); Amended 60(D)(1) Motion (ECF No. 38); Second Amended 60(D)(1) Motion (ECF No. 39); and Motion to Proceed *In Forma Pauperis* (ECF No. 35), it is

ORDERED that:

1. The Motion for Habeas Relief to Prevent a Grave Miscarriage of Justice under Rule 60(d)(1) (ECF No. 33), Amended 60(D)(1) Motion (ECF No. 38), and Second Amended 60(D)(1) Motion (ECF No. 39) are **DENIED** for the reasons set forth in the Court's Memorandum accompanying this Order.

2. The Motion to Proceed In Forma Pauperis (ECF No. 35) is **DENIED AS UNNECESSARY** since Handfield has already paid the \$5 filing fee for this case.

3. A Certificate of Appealability is **DENIED** pursuant to 28 U.S.C. § 2253(c).

BY THE COURT:

/s/ Jeffrey L. Schmehl
JEFFREY L. SCHMEHL, J.